

# IN THE UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF GEORGIA

FILED IN CLERK'S OFFICE  
U.S.D.C. - Atlanta

AUG 15 2022

KEVIN P. WEIMER, Clerk  
By: *[Signature]*

1983 Complaint

CARTARVIS A JORDAN  
Plaintiff

1:22-CV-3267

VS

Gwendolen Farrington, Foreperson for Fulton County.  
~~Deputy Clerk for Fulton County, Cathelen "Tina" Robinson~~ Clerk of  
 Superior ~~Court~~ Clerk for Fulton County, Paul L. Howard District Attorney for Fulton County,  
 Charles Bailey Assistant District Attorney for Fulton County, Fulton County and  
 The Georgia Department of Corrections. The suit is against all of them in ~~their~~  
~~individual~~ individually and in their official capacities,  
 "Defendant's"

### JURISDICTION & VENUE

1. This is a Civil action authorized by 42 U.S.C. State law of rights secured by the Constitution of the United States. The Court has jurisdiction under 28 U.S.C. Section 1331 and 1343(a)(3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. Section 2201 and 2202. Plaintiff's Claims for relief are authorized by 28 U.S.C. Section 2283 & 2284 and Rule 65 of the Federal Rules of the Civil Procedure.
2. The Northern district of Georgia is an appropriate venue under 28 U.S.C. Section 1391(b)(2) because it is where the events giving rise to these claims occurred.
3. Plaintiff, Cartarvis A. Jordan, is and was at all times mentioned herein a prisoner of the State of Georgia in the custody of the ~~Georgia~~ Georgia Department of Corrections. He is currently confined in Smith State Prison, in Glennville Georgia.
4. Defendant ~~Deputy Clerk for Fulton County, Cathelen "Tina" Robinson~~ is the deputy clerk for Fulton County, Cathelen "Tina" Robinson is the clerk for Fulton County, Paul L. Howard is the district Attorney for Fulton County, Charles Bailey was the Assistant District Attorney for Fulton County, Fulton County ~~because~~ because these events happened there and the Georgia Department of Corrections ~~me~~ they are all responsible for the Plaintiff's judgement ~~being~~ and holding Plaintiff,



5. Each defendant is Sued individually and in his and her Official Capacity. At All times mentioned in this Complaint each defendant acted under the Color of State law.

### FACTS

6. On the 8 day of August 2022, Plaintiff obtained a copy of his true Bill "Showing" that his judgment is void. This is a on going Situation The Georgia Department of Corrections is currently holding Plaintiff on a illegal void convictions, And the limatation has run out to re-try the Plaintiff. For the Past Seven Years Plaintiff has been held at some of the worst close security level five Prisons in the Georgia department of Corrections while serving a life Sentence on a illegal void Judgment; Because the Fulton County Superior court Clerk and the deputy Clerk of Fulton County along with the district attorney for Fulton County and the assistant district attorney for Fulton County has demonstrated fraud on the Court's by not having a Substantial Seal on the true Bill Showing that it was entered and returned into open Court, And since this incident has taken Place Plaintiff has endured Serious Physical injury while being in Prison and has become a Chronic heart Patient and Suffers from mental and emotional injuries as well as physical injury's from incident's that's occurred while being held on a illegal judgment, Plaintiff has had ~~two~~ <sup>two</sup> open heart Surgeries, A Broken left hand, A Broken right ankle, five stitches in his lips, And nightmares about incident's that's happend to Plaintiff while being held on this illegal Sentence and would like to file for Claims of Cruel and unusual Punishment, mental and emotional injury's, false Imprisonment, Demonstration Fraud on the Court, Abuse of Process and Wrongful Conviction.

7. You may refer to my documents attached to the back of my Complaint Exhibit A is a legal document telling the Plaintiff that the Clerk's office don't have the grand jury information and Exhibit B is a copy of the Plaintiff true Bill Showing that it was not returned into open Court.



## Exhaustion of Legal Remedies

8. Plaintiff, Cartavis A. Jordan did not use the Prisoner Grievance Procedure available at Smith State Prison to try and solve the problem. Because it's not a situation that happens in prison, prisoners must commonly use Section 1983 to enforce rights guaranteed by the U.S. Constitution. 42 USC 1997(e)(1) provides that "no action shall be brought with respect to prison conditions by a prisoner confined in any jail, prison or other correctional facility until such administrative remedies are available are exhausted." Here the plaintiff has claims regarding a violation of his constitutional rights not pertaining to prison conditions. Plaintiff has obtained a true Bill on 8-8-22 showing that his indictment is void because it was not returned into open, it has no substantial seal showing that it was filed into open court.

9. The void judgment ~~and~~ violated Plaintiff Cartavis A. Jordan rights and constituted cruel and unusual punishment, mental and emotional injury, false imprisonment, ~~Dem~~ starting fraud on the court, abuse of process and wrongful conviction, under the first, fifth, eighth and fourteenth Amendment to the United States Constitution.

10. The Plaintiff has no plain, adequate or complete remedy at law to redress the wrongs described herein. Plaintiff has been and will continue to be irreparably injured by the conduct of the defendant's unless this court grants the relief which Plaintiff seeks.

## Prayer for Relief

Wherefore, Plaintiff respectfully prays that this court enter granting Plaintiff;

11. A declaration that the act and omissions described herein violated Plaintiff's rights under the Constitution and laws of the United States.

12. A preliminary and permanent injunction ordering all the above named defendant's to start making sure that indictments are returned into open court.



13. Compensatory damages in the amount of 50 million dollars against each defendant jointly and severally.
14. Punitive damages in the amount of 50 million dollars against each defendant.
15. A jury trial on all issues triable by jury.
16. Plaintiff's ~~costs~~ costs in this suit.
17. Any additional relief this Court deems just proper, and equitable.

Date. 8-8-22

Respectfully Submitted

x Carter A. Jordan

Carter A. Jordan #1800139069  
Smith State Prison  
P.O. Box 726 9676 North  
Glennville, GA 30427



Exhibit A

CLERK OF SUPERIOR COURT & MAGISTRATE COURTS  
 FULTON COUNTY  
 THE HONORABLE CATHELENE "TINA" ROBINSON  
 CLERK OF SUPERIOR COURT  
 (404) 613-5314

July 6, 2022

Mr. Cartarvis Antonio Jordan  
 Smith State Prison  
 P. O. Box 726  
 Glennville, Georgia 30427  
 G. D. C. No. 1000139069



Re: Request for Copy of Grand Jury Information

Case No. 15SC138023

Dear: Mr. Jordan:

In response to your request(s) please review the item(s) checked below:

☐ We need more information to complete your request. Please provide us with an Indictment, Civil Action number or Accusation number to the particular case which you are referring to. Also, list alias names used charges and arrest information, your date of birth & SS #.

☐ We have enclosed the document you requested.

☐ Your document(s) has been filed in our office, and a copy has been forwarded to the Litigation Manager for the Honorable Judge \_\_\_\_\_ for consideration. The mailing address is 185 Central Avenue, Suite T-\_\_\_\_\_ Atlanta, Georgia 30303.

☐ Our database shows no future court date scheduled in your case. Please contact the Litigation Manager for Judge \_\_\_\_\_ at: 185 Central Avenue, Suite T-\_\_\_\_\_ Atlanta, Georgia 30303.

☒ Your request has been received and filed in our office. Your Grand Jury Information are not filed with the Clerk's Office. You can contact the District Attorney's Office at: 136 Pryor Street, 3<sup>rd</sup> Floor, Atlanta, Georgia 30303.

☐ The Grand Jury has indicted this case. Your new case number for \_\_\_\_\_

☐ We are unable to process your request, because our office does not provide legal assistance. You may wish to secure the services of an attorney.

☐ We have forwarded a copy of your motion to the District Attorney's Office. The address is 136 Pryor Street, SW, 3<sup>rd</sup> Floor, Atlanta, Georgia, 30303.

☐ Our office does not conduct background checks to determine pending charges. Please contact the Sheriff's Department at 185 Central Avenue, 9<sup>th</sup> Floor, Atlanta, Georgia 30303.

☐ We are returning your document because,

Sincerely,  
 Deputy Clerk

DIRECT INDICTMENT

*EJ16-Adams*  
*CF*

Clerk No. *15SC138023*

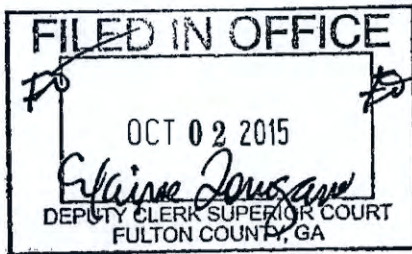
FULTON SUPERIOR COURT

THE STATE OF GEORGIA

V.

CARTARVIS JORDAN  
DA #: 15DA09724

- 1 ARMED ROBBERY O.C.G.A. §16-8-41
- 2 ARMED ROBBERY O.C.G.A. §16-8-41
- 3 ARMED ROBBERY O.C.G.A. §16-8-41
- 4 AGGRAVATED ASSAULT WITH A DEADLY  
WEAPON O.C.G.A. §16-5-21
- 5 AGGRAVATED ASSAULT WITH A DEADLY  
WEAPON O.C.G.A. §16-5-21
- 6 AGGRAVATED ASSAULT WITH A DEADLY  
WEAPON O.C.G.A. §16-5-21
- 7 POSSESSION OF FIREARM OR KNIFE DURING  
COMMISSION OF A FELONY  
O.C.G.A. §16-11-106
- 8 POSSESSION OF FIREARM BY CONVICTED  
FELON O.C.G.A. §16-11-131



True BILL

October 2, 2015

*[Signature]*  
Grand Jury Foreperson

PERSONID: 26743

PAUL L. HOWARD, JR., District Attorney



## Verification of Complaint

I have read the foregoing Complaint and hereby verify that the matters alleged therein are true and correct except as to matters alleged on information and belief, and, as to those, I believe them to be true. I Certify under Penalty of Perjury that the foregoing is true and correct.

This 8<sup>th</sup> day of August 2022.

X Carter 

Carter vis A. Jordan #100039069  
Smith State Prison PO Box 720  
9676 North Glennville GA 30427